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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/606,999

06/26/2003

Vishwajith Kumbalimutt

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EXAMINER

CHOU, ALAN S

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/606,999	Applicant(s) KUMBALIMUTT ET AL.	
	Examiner ALAN S. CHOU	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/26/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-38 are presented for examination.

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 10, 20, 30, 31 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claimed elements “medium” and “structure” as claimed lack an appropriate computer readable storage medium to define a structural and functional interrelationship between a computer program and other elements of a computer which permits the functionality of the computer programs to be realized.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-6, 10-16, 20, 21-26, 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Tarnanen et al. U.S. Patent Application Publication Number 2004/0199649 A1 (hereinafter Tarnanen).

5. As per claims 1, 10, 11, 20, 21, 30 Tarnanen discloses in a network communications environment comprising at least a first and a second server and a client, a method for the first server to redirect traffic among the servers, the method comprising: receiving a registration request from the client (see SIP registration request on page 4 section [0044]); determining a server with which the client is assigned to work (see redirect server on page 4 section [0044]); and if the client is assigned to work with the second server, then sending a request to the client redirecting the client to work with the second server (see redirection response 300). Claims 11, 20 have an additional limitation of using a Via header in the registration request (see SIP address resolution with Via header on page 5 section [0046], Table 1 and page 5 section [0051], and Table 2 and section [0057]). Claims 21, 32 have an additional limitation of using proxy the registration request (see proxy SIP message to server on page 4 section [0038] and SIP proxy on page 4 section [0044]).

6. As per claims 2, 12, Tarnanen discloses the method of claim 1 wherein the first server is of a type selected from the group consisting of: a home server (see HSS home server 128 on page 3 section [0033]) and a load distribution server (see primary and secondary SIP proxy server).

7. As per claims 3, 13, 23, Tarnanen discloses the method of claim 1 wherein the second server is a real-time communications server (see real-time data transmission with SIP on page 2 section [0027]).

8. As per claims 4, 14, 24, Tarnanen discloses the method of claim 1 wherein receiving a registration request comprises receiving the request over a Transport Layer Security connection (see transport layer on page 4 section [0041]).

9. As per claims 5, 15, 25, Tarnanen discloses the method of claim 4 wherein receiving a registration request comprises receiving a Session Initiation Protocol Register message (see SIP registration request on page 4 section [0044]).

10. As per claims 6, 16, 26, Tarnanen discloses the method of claim 1 wherein determining a server with which the client is assigned to work comprises checking an active directory for a home server entry for the client (see HSS 128 consist of Hole Location Register, Domain Name Server, network access and security databases on page 3 section [0033]).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Tarnanen as applied to claim 21 above, and further in view of Money et al., U.S. Patent Application Publication Number 2004/0009761 A1 (hereinafter Money).

13. As per claim 22, Tarnanen does not disclose expressly the first server consisting of an internal edge server. Money teaches the use of edge proxy servers 152 incorporated with a SIP proxy and registration system for load balancing SIP requests (see page 5 section [0052]). Tarnanen and Money are analogous art because they are from the same field of endeavor, SIP proxy communication system. At the time of the invention it would have been obvious to a person of ordinary skill in the art to incorporate an edge proxy server with the SIP proxy system. The motivation for doing so would have been to use the edge server to help load balance the SIP requests. Therefore, it would have been obvious to combine edge servers with SIP network systems to obtain the invention as specified in claim 22.

14. Claims 7-9, 17-19, 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tarnanen as applied to claim 1 above, and further in view of Bobde et al., U.S. Patent Application Publication Number 2004/0009761 A1 (hereinafter Bobde).

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15. As per claims 7-9, 17-19, 27-29, Tarnanen discloses service access security for client and the server (see page 4 section [0040]). Tarnanen does not disclose expressly the step of authenticating client before determining a server and the use of either New Technology LAN Manager (NTLM) or Kerberos authentication protocol. Bobde teaches the use of a security challenge with Kerberos and NTLM authentication protocol between the client and the server during a SIP session (see page 1 section [0006]). Tarnanen and Bobde are analogous art because they are from the same field of endeavor, SIP proxy communication system. At the time of the invention it would have been obvious to a person of ordinary skill in the art to incorporate authentication protocols such as NTLM and Kerberos with the SIP proxy system. The motivation for doing so would have been to ensure the client has the access right to the SIP network system. Therefore, it would have been obvious to combine authentication protocols with SIP network systems to obtain the invention as specified in claim 22.

16. Claims 31, 32, 34, 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tarnanen , and further in view of Dingman et al., U.S. Patent Application Publication Number 2004/0024879 A1 (hereinafter Dingman).

17. As per claims 31, 32, 34, and 35, Tarnanen discloses the additional limitation of using a Via header in the registration request for claim 34 (see SIP address resolution with Via header on page 5 section [0046], Table 1 and page 5 section [0051], and Table 2 and section [0057]). Tarnanen also discloses the additional limitation of using proxy

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the registration request for claim 35 (see proxy SIP message to server on page 4 section [0038] and SIP proxy on page 4 section [0044]). Tarnanen also discloses the additional limitation of using full domain name to address home servers for claims 32 (see domain name server look up on page 5 section [0047]). Tarnanen however does not disclose expressly a client-to-home-server assignment data structure comprising of a client identification field and a home server assignment field. Dingman teaches the use of a user database with user identification field 740 and address of proxy server 500 assigned to the client in field 750. Tarnanen and Dingman are analogous art because they are from the same field of endeavor, SIP proxy communication system. At the time of the invention it would have been obvious to a person of ordinary skill in the art to have a data registration structure to link the client with a home server within the SIP proxy system. The motivation for doing so would have been to establish a connection the client to the rest of the SIP network system. Therefore, it would have been obvious to incorporate a client-to-server structure with SIP network systems to obtain the invention as specified in claims 31, 32, 34, and 35.

18. Claims 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dingman , and further in view of Wu et al., U.S. Patent Application Publication Number 2004/0024879 A1 (hereinafter Wu).

19. As per claim 36-38, Dingman discloses a client-to-server-data structure for SIP network. Dingman does not disclose the monitoring of the network traffic and modifying

of the assignment data structure based on the network traffic. Wu teaches the monitoring of the data traffic within the network servers (see column 8 line 59-65). Wu also teaches the determination that the server is overloaded and needs to reassign the network traffic to other servers (see column 7 lines 34-43). Wu and Dingman are analogous art because they are from the same field of endeavor, SIP proxy communication system. At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the data registration structure to link the client with a home server based on the changed of assignments within the SIP proxy system. The motivation for doing so would have been to reflect the changes of the client connection to the rest of the SIP network system. Therefore, it would have been obvious to reflect the changes made by monitoring and load balancing function with the network system on the client-to-server structure to obtain the invention as specified in claims 36-38.

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Real Time Streaming Media communication System by Xu et al., U.S. Patent Number 7,072,341 B2.

b) Configuring User Interfaces of Call Devices by Weaver, III et al., U.S. Patent Number 7,123,700 B1.

c) Trunk Group Implementation in Networks by Tripathi et al., U.S. Patent Number 7,069,331 B2.

d) System and Method for Providing Fault Tolerance in a Network Telephone System by Tripathi, U.S. Patent Number 6,992,974 B1.

e) System and Method for Providing User Mobility Handling in a Network Telephony System by Tripathi et al., U.S. Patent Number 7,110,393 B1.

f) Distributed Network Address Translation for Network Telephony System by Schuster et al., U.S. Patent Number 6,822,957 B1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan S. Chou whose telephone number is (571) 272-5779. The examiner can normally be reached on 7am-3pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571)272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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/John Follansbee/

Supervisory Patent Examiner, Art Unit 2151